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Sec. Twp. Range

**ZONING HEARING APPLICATION
MIAMI-DADE COUNTY
DEPARTMENT OF PLANNING & ZONING**

#22012000085

RECEIVED
2/2-095
SEP 19 2012

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY AB

LIST ALL FOLIO #S: 30 49 10 003 0050

Date Received

1. **NAME OF APPLICANT** (Owner(s) of record of the property or lessee. If applicant is a lessee, an executed 'Owner's Sworn-to-Consent' and copy of a valid lease for 1 year or more is required. If the applicant is a corporation, trust, partnership, or like entity, a 'Disclosure of Interest' is required).

Julmar 147 Investment, LLC

2. **APPLICANT'S MAILING ADDRESS, TELEPHONE NUMBER:**

Mailing Address: 13911 SW 42 Street #209City: Miami State: FL Zip: 33175 Phone#: 305 222 1516

3. **OWNER'S NAME, MAILING ADDRESS, TELEPHONE NUMBER:**

Owner's Name (Provide name of ALL owners): Mario CastellanosMailing Address: 3761 SW 139 PlCity: Miami State: FL Zip: 33175 Phone#: 305 222 1516

4. **CONTACT PERSON'S INFORMATION:**

Name: Guillermo Olmedillo Company: Olmedillo X5, IncMailing Address: 1450 Madruga Avenue, Suite 407City: Coral Gables State: FL Zip: 33146Phone# 786 252 0381 Fax# E-mail: Guillermo@olmedillox5.com

5. **LEGAL DESCRIPTION OF ALL PROPERTY COVERED BY THE APPLICATION**

(Provide complete legal description, i.e., lot, block, subdivision name, plat book & page number, or metes and bounds. Include section, township, and range. If the application contains multiple rezoning requests, a legal description for each requested zone must be provided. Attach separate sheets as needed and clearly label (identify) each legal description attached. In addition to paper version it is requested that lengthy metes and bounds descriptions be provided on diskette or compact disc in Microsoft Word or compatible software.)

North 1/2 of Tract 6 lying in Section 10, Township 54 South, Range 39 East of J.G. Heads Farms according to the Plat thereof, recorded in Plat Book 46, Page 44 of the Public Records of Miami Dade County, Florida (see attached last page for new legal description)

6. **ADDRESS OR LOCATION OF PROPERTY** (For location, use description such as NE corner of, etc.)

SE CORNER of the intersection of SW 147 Ave and 15 Street

7. SIZE OF PROPERTY _____ ft x _____ ft (in acres): 2.35 acres
(divide total sq. ft. by 43,560 to obtain acreage)

8. DATE property ☒ acquired ☐ leased: 7/2012 (month & year)

9. Lease term: _____ years

10. IS CONTIGUOUS PROPERTY OWNED BY THE SUBJECT PROPERTY OWNER(S)?

no ☒ yes ☐ If yes, provide complete legal description of said contiguous property.

11. Is there an option to purchase ☐ or lease ☐ the subject property or property contiguous thereto?
no ☐ yes ☐ (If yes, identify potential purchaser or lessee and complete 'Disclosure of Interest' form)

12. PRESENT ZONING CLASSIFICATION: AV Agriculture

13. APPLICATION REQUESTS (Check all that apply and describe nature of the request in space provided)

- ☒ District Boundary(zone) Changes [Zone(s) requested]: AV to RU-Ma
(Provide a separate legal description for each zone requested)
- ☐ Unusual Use: _____
- ☐ Use Variance: _____
- ☒ Non-Use Variance: _____
- ☐ Alternative Site Development: Option: _____
- ☒ Special Exception: K to 2 school
- ☐ Modification of Previous Resolution/Plan: _____
- ☐ Modification of Declaration or Covenant: _____

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MIAMI-DADE PLANNING AND ZONING DEPT.
BY JK

14. Has a public hearing been held on this property within the last year & a half? no ☒ yes ☐
If yes, provide applicant's name, date, purpose and result of hearing, and resolution number:

15. Is this application a result of a violation notice? no ☒ yes ☐ If yes, give name to whom the violation notice was served: _____ and describe the violation: _____

16. Describe structures on the property: vacant

17. Is there any existing use on the property? no ☒ yes ☐ If yes, what use and when established?

Use: _____ Year: _____

18. Do you require a translator for the actual hearing? Yes ☐ No ☐

If yes: Spanish ☐ Haitian Creole ☐

Other (Please specify which language) _____

APPLICANT'S AFFIDAVIT

The Undersigned, first being duly sworn depose that all answers to the questions in this application, and all supplementary documents made a part of the application are honest and true to the best of (my)(our) knowledge and belief. (I)(We) understand this application must be complete and accurate before the application can be submitted and the hearing advertised.

OWNER OR TENANT AFFIDAVIT

(I)(WE), _____, being first duly sworn, depose and say that (I am)(we are) the ☐ owner ☐ tenant of the property described and which is the subject matter of the proposed hearing.

Signature

Signature

Sworn to and subscribed to before me
this _____ day of _____, _____.

Notary Public: _____
Commission Expires: _____

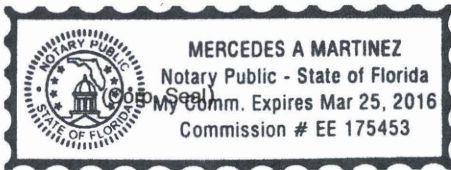
CORPORATION AFFIDAVIT

(I)(WE), Mario Castellanos, being first duly sworn, depose and say that (I am)(we are) the ☐ President ☐ Vice-President ☐ Secretary ☐ Asst. Secretary of the aforesaid corporation, and as such, have been authorized by the corporation to file this application for public hearing; and that said corporation is the ☒ owner ☐ tenant of the property described herein and which is the subject matter of the proposed hearing.

Attest: _____

Authorized Signature

Office Held



Sworn to and subscribed to before me
this 12 day of September, 2012.

Notary Public: Merces Mart
Commission Expires: _____

PARTNERSHIP AFFIDAVIT

(I)(WE), _____, being first duly sworn, depose and say that (I am)(we are) partners of the hereinafter named partnership, and as such, have been authorized to file this application for a public hearing; and that said partnership is the ☐ owner ☐ tenant of the property described herein which is the subject matter of the proposed hearing.

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(Name of Partnership)

By _____ % _____ By _____ %

By _____ % _____ By _____ %

% ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY AK

Sworn to and subscribed to before me
this _____ day of _____, _____.

Notary Public: _____
Commission Expires: _____

ATTORNEY AFFIDAVIT

I, _____, being first duly sworn, depose and say that I am a State of Florida Attorney at Law, and I am the Attorney for the Owner of the property described and which is the subject matter of the proposed hearing.

Signature

Sworn to and subscribed to before me
this _____ day of _____, _____.

Notary Public: _____
Commission Expires: _____

OWNERSHIP AFFIDAVIT
FOR
CORPORATION

STATE OF Florida Public Hearing No. _____
COUNTY OF Miami-Dade

Before me, the undersigned authority, personally appeared Mario Castellanos
hereinafter the Affiant(s), who being first duly
sworn by me, on oath, deposes and says:

1. Affiant is the president, vice-president or CEO of the Corporation, with the following address:
13911 SW 42 St. #209 Miami, FL 33175
2. The Corporation owns the property which is the subject of the proposed hearing.
3. The subject property is legally described as:
North 1/2 of tract containing in section 10 Township 34 South Range 39 East of JG Head farms, according to the plat thereof recorded in Plat Book 46 Page 44 of the Public Records of Miami Dade County Florida
4. Affiant is legally authorized to file this application for public hearing.
5. Affiant understands this affidavit is subject to the penalties of law for perjury and the possibility of voiding of any zoning granted at public hearing.

Witnesses:

[Signature]
Signature

Joeny Castellanos
Print Name

[Signature]
Signature

Vanessa Vinetti
Print Name

[Signature]
Affiant's signature

Mario Castellanos
Print Name

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MIAMI-DADE PLANNING AND ZONING DEPT.
BY [Signature]

Sworn to and subscribed before me on the 10th day of September 20 12.

Affiant is personally known to me or has produced C234-340-63-445-0 as identification

Notary

(Stamp/Seal)

Commission Expires: 6/28/2015



[Signature]

ACKNOWLEDGEMENT BY APPLICANT

1. The Public Works Department, the Department of Environmental Resources Management (DERM), and other County agencies review and critique zoning hearing applications which may affect the scheduling and outcome of my hearing. These reviews may require additional hearings before DERM's Environmental Quality Control Board (EQCB), or other County boards, and/or the proffering of agreements to be recorded. I am also aware that I must comply promptly with any DERM or Public Works conditions and advise this office in writing if my application will be withdrawn.
2. Filing fees may not be the total cost of a hearing. Some requests require notices to be mailed to property owners up to a mile from the subject property and I am responsible for paying the additional radius mailing costs. In addition to mailing costs, I am responsible for additional fees related to application changes, plan revisions, deferrals, re-advertising, etc., that may be incurred. I understand that fees must be paid promptly. Applications withdrawn within 60 days of the filing are eligible for a refund of 50% of the hearing fee but after that time hearings withdrawn or returned will be ineligible for a refund. Refunds must be requested in writing.
3. Applicable Florida Building Code requirements may affect my ability to obtain a building permit even if my zoning application is approved; and a building permit will probably be required. I am responsible for obtaining any required permits and inspections for all structures and additions proposed, or built without permits. And that a Certificate of Use (C.U.) must be obtained for the use of the property after it has been approved at Zoning Hearing. Failure to obtain the required permits and/or C.U., Certificates of Completion (C.C.) or Certificate of Occupancy (C.O.) will result in enforcement action against any occupant and owner. Submittal of the Zoning Hearing application may not forestall enforcement action against the property.
4. The 3rd District Court of Appeal has ruled that zoning applications inconsistent with the Comprehensive Development Master Plan (CDMP) should not be approved by a zoning board and the recommendation will be for denial or deferral. Therefore, I acknowledge that if the hearing request is inconsistent with the CDMP and I decide to go forward then my hearing request can only be denied or deferred, but not approved. I also understand that I will not be reimbursed any fees paid unless I withdraw within 60 days of filing and then I will receive a 50% refund.
5. Any covenant to be proffered must be submitted to the Department's Legal Advisor, on County form, at least 1 month prior to the hearing date. The covenant will be reviewed and the applicant will be notified if changes or corrections are necessary. Once the covenant is acceptable, the applicant is responsible to submit the executed covenant with a current 'Opinion of Title' within 1 week of the hearing. Legal Advisor can advise as to additional requirements applicable to foreign corporations. Documents submitted to Legal Advisor must carry a cover letter indicating subject matter, application number and hearing date. Legal Advisor may be reached at (305) 375-3075

(Applicant's Signature)

Mario Castellanos

(Print Name of Applicant)

Sworn to and subscribed before me on the

10th Day of September 2012

Affiant is personally known to me or has produced
C234-540-63-445-0 as identification.

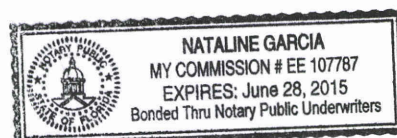
N. Garcia
(Notary Public's Signature)

Nataline Garcia
Print Name

My commission expires 6/28/2015

State of: Florida

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212-05
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ZONING DEPT. NON
MEMBER OF THE ZONING DEPT.
BY AB



DISCLOSURE OF INTEREST*

If a CORPORATION owns or leases the subject property, list principal stockholders and percent of stock owned by each. [Note: Where principal officers or stockholders consist of other corporation(s), trust(s), partnership(s) or other similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

CORPORATION NAME: Julmar 147 Investment, LLC

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>Julio Batista</u>	<u>50%</u>
<u>12911 SW 42nd #205 Miami, FL 33175</u>	
<u>Mario Castellanos</u>	<u>50%</u>
<u>2732 SW 140 Ave Miami, FL 33175</u>	

If a TRUST or ESTATE owns or leases the subject property, list the trust beneficiaries and the percent of interest held by each. [Note: Where beneficiaries are other than natural persons, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

TRUST/ESTATE NAME: _____

<u>NAME AND ADDRESS</u>	<u>Percentage of Interest</u>
_____	_____
_____	_____
_____	_____
_____	_____

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217-095
SEP 19 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY AB

If a PARTNERSHIP owns or leases the subject property, list the principals including general and limited partners. [Note: Where the partner(s) consist of another partnership(s), corporation(s), trust(s) or other similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: _____

<u>NAME AND ADDRESS</u>	<u>Percentage of Ownership</u>
_____	_____
_____	_____
_____	_____
_____	_____

If there is a **CONTRACT FOR PURCHASE**, by a Corporation, Trust or Partnership list purchasers below, including principal officers, stockholders, beneficiaries or partners. [Note: Where principal officers, stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or other similar

If there is a **CONTRACT FOR PURCHASE**, by a Corporation, Trust or Partnership list purchasers below, including principal officers, stockholders, beneficiaries or partners. [Note: Where principal officers, stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or other similar entities, further disclosure shall be made to identify natural persons having the ultimate ownership interests].

NAME OF PURCHASER: Anper Corporation

NAME, ADDRESS AND OFFICE (if applicable)

Percentage of Interest

Maria C. Angola

50%

7350 S.W. 89 St. #622-S, Miami, FL 33156

Helen B. Angola

50%

7350 S.W. 89 St. #622-S, Miami, FL 33156

Date of contract: 06/19/12

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership or trust.

NOTICE: For any changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

Signature: 

(Applicant) Mario Castellanos - Julmar 147 Investment, LLC

Sworn to and subscribed before me this 3rd day of January, 20 13. Affiant is personally know to me or has produced _____ as identification.


(Notary Public)

My commission expires: 6/28/2015



*Disclosure shall not be required of: 1) any entity, the equity interests in which are regularly traded on an established securities market in the United States or another country; or 2) pension funds or pension trusts of more than five thousand (5,000) ownership interests; or 3) any entity where ownership interests are held in a partnership, corporation or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership and where no one (1) person or entity holds more than a total of five per cent (5%) of the ownership interest in the partnership, corporation or trust. Entities whose ownership interests are held in a partnership, corporation, or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership, shall only be required to disclose those ownership interest which exceed five (5) percent of the ownership interest in the partnership, corporation or trust.

RETURN TO:

Marlene Leon-Rubido, Esquire
6780 Coral Way
Miami, Florida 33155



CFN 2012R0493684
OR Bk 28186 Pgs 4131 - 4132; (2pgs)
RECORDED 07/13/2012 11:34:34
DEED DOC TAX 0.60
SURTAX 0.45
HARVEY RUVIN, CLERK OF COURT
MIAMI-DADE COUNTY, FLORIDA

Prepared by:

Eugenio Duarte, P.A.
999 Ponce de Leon Blvd. Suite 735
Coral Gables, FL 33134
305-444-1958
File Number: 1156.410
Folio Number: 30-4910-003-0050

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ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

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BY *Ad*

Warranty Deed

This Warranty Deed made this 10 day of July 2012 between **Fred De La Mata**, individually and as Trustee, "Grantor", and **Julmar 147 Investment, LLC**, a Florida limited liability company "Grantee":

13911 SW 42 STREET, # 209 Miami Florida 33175

(Whenever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that the Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to the Grantor paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the Grantee, and Grantee's successor's and assigns forever, the following described land, situate, lying and being in **Miami-Dade County, Florida** to-wit:

The North ½ of Tract 6, lying in Section 10, Township 54 South, Range 39 East of J.G. HEADS FARMS, according to the Plat thereof, recorded in Plat Book 46, at Page 44, of the Public Records of Miami-Dade County, Florida (the "Property").

The subject Property is not now nor has it ever been the homestead of Fred De La Mata nor is it contiguous thereto. In fact Fred De La Mata resides at: 11221 NW 48th Terrace, Doral, Florida 33178

Subject to: (a) zoning ordinances affecting the property; (b) restrictions and matters appearing on the plat or otherwise common to the subdivision; and (c) public easements; and (d) taxes for 2012 and subsequent years.


Together with all the tenements, hereditaments, and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

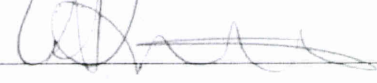
And the Grantor hereby covenants with the Grantee that the Grantor has lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to 2012.

In Witness Whereof, Grantor has executed this instrument on the day and year first above written.


Signed, sealed and delivered in our presence:



Eugenia Duarte
Print Name of Witness



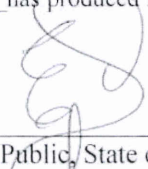
Alexa Duarte
Print Name of Witness




Fred De La Mata, individually and as
Trustee

STATE OF FLORIDA)
)ss
COUNTY OF MIAMI-DADE)

THE FOREGOING instrument was acknowledged before me this 10 day of July, 2012, by **Fred De La Mata**, individually and as Trustee, who _____ is known to me or ☒ has produced his license as identification and who did take an oath.



Notary Public, State of Florida
My Commission Expires: _____

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210-081
SEP 19 2012
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY  _____

